

2001 FAIR ACT INVENTORY

As required by the Federal Activities Inventory Reform Act (FAIR) of 1998, we are posting the U.S. Consumer Product Safety Commission's (CPSC) inventory of commercial activities for 2001. Thirty-nine employees in different parts of the agency are performing commercial activities under the definitions in the FAIR Act and OMB Circular A-76 (Revised). This represents 8% of the agency's total 480 FTEs.

The majority of CPSC employees are engaged in the governmental public safety function of investigating product hazards and developing product standards. We contract out for many commercial services as they are required in the course of CPSC investigations. In addition, over the last several years CPSC has contracted out staff positions that performed mail and driver services, laborer services, and copy and library services. We have also converted our consumer Hotline operation and much of our computer programming operation to a contract basis. A total of 21 FTEs are represented by these existing contractual services.

We have established an inventory challenge process based on the FAIR Act and OMB guidance in our CPSC Directive 1500.1, Performance of Commercial Activities:

a. Challenge to Inventory.

- (1)** An interested party may challenge an inventory of commercial activities for either omission or inclusion of an activity. A party must file a challenge with the Director, Office of the Budget (EXOB), U.S. Consumer Product Safety Commission, room 703, Washington, DC 20207 within 30 working days after the notice of inventory availability is published by OMB. The Director, EXOB, must decide the challenge in writing, including the rationale and appeal rights, within 28 working days of receipt. As part of the review, the General Counsel will decide if the appeal is eligible under OMB Circular A-76.
- (2)** A party may appeal the initial challenge decision to the Executive Director within 10 working days after receipt of the decision. The Executive Director must decide the appeal of the initial decision in writing, including the rationale, to the challenging party within 10 working days after the receipt of the appeal. CPSC will promptly transmit changes to the inventory as a result of the challenge to OMB and Congress, make them available to the public, and publish a notice of change in the Federal Register.

Should you have any questions, our point of contact is Mr. Edward E. Quist, Director, Office of the Budget. His phone number is 301 504-0029 x2240. His e-mail address is equist@cpsc.gov.

U.S. CONSUMER PRODUCT SAFETY COMMISSION
FY 2001 COMMERICAL ACTIVITIES INVENTORY
June 2001

A. INVENTORY:

ORGANIZATION UNIT	STATE	LOCATION	FTE	ACTIVITY/FUNCTION CODE	REASON CODE	FIRST YEAR OF APPEARANCE	RESPONSIBLE OFFICIAL
EXRM - Office of Human Resources	MD	MD	2	B700	B	1999	Edward Quist, Director Office of the Budget 301-504-0029; equist@cpsc.gov
	MD	MD	3	B000	B	1999	
ADFS - Division of Financial Services	MD	MD	2	C401	B	1999	Edward Quist, Director Office of the Budget 301-504-0029; equist@cpsc.gov
ISIC - National Injury Information Clearinghouse	MD	MD	6	Y550	B	1999	Edward Quist, Director Office of the Budget 301-504-0029; equist@cpsc.gov
	MD	MD	2	Y000	B	1999	
OS - Freedom of Information Office	MD	MD	7	Y403	B	1999	Edward Quist, Director Office of the Budget 301-504-0029; equist@cpsc.gov
			2	Y000			
ISCS - Communications Services Branch	MD	MD	2	Y000	B	1999	Edward Quist, Director Office of the Budget 301-504-0029; equist@cpsc.gov
ISIS - Programming Services Branch	MD	MD	6	W826	B	1999	Edward Quist, Director Office of the Budget 301-504-0029; equist@cpsc.gov
ISIS - Network Support Branch	MD	MD	6	W999	B	1999	Edward Quist, Director Office of the Budget 301-504-0029; equist@cpsc.gov
	MD	MD	1	Y550	B	1999	

B. ANNUAL MANAGEMENT REPORT:

FY 2000: The FY 2000 FAIR Act inventory was developed by a team with representatives from these staff offices: Executive Director, Budget, Administrative Services, Procurement Services, and Human Resources. This team reviewed all FTE positions in the agency and, after consulting with supervisors, determined which positions are potentially commercial in nature. The agency began collecting cost data and developing statements of work to assess if it should proceed with competitions. It is noted, however, that the agency is reviewing certain functions, such as its Communications Branch and Programming Services Branch that may result in a reordering of work that could alter its inventory. The agency changed its directive on A-76 FAIR Act management to reflect the OMB recommended change from calendar days to working days for all challenge and challenge response periods. There were no challenges to the FY 2000 inventory.

FY 2001: The FAIR Act inventory was reviewed and no changes were recommended because there has been no change in FTE work or number of FTEs. However, it is noted that the agency is reviewing certain functions, such as its Communications Branch and Programming Services Branch that may result in a reordering of work that could alter its inventory. The agency will continue to develop statements of work in order to compete selected positions in order to meet the FY 2002 goal of competing not less than 5 percent of the FTEs listed in the inventory.